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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,972	04/01/2004	Frederick C. Boyns	175-231T-1	1679

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EXAMINER

GOINS, DAVETTA WOODS

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/816,972

Applicant(s)

BOYNS ET AL.

Examiner

Davetta W. Goins

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2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23, 38 and 39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-15, 38 and 39 is/are allowed.
- 6) ☒ Claim(s) 16-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 1- 15, 38 and 39 are allowed.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reisman (US Pat. 6,144,619) in view of Sonada (US Pat. 5,319,617) in view of Howard et al. (US 2004/0266491 A1).

In reference to claims 16, 21, 23, Reisman discloses the claimed display system, memory system, alarm element, oscillator, controller with peripheral or integral counter, and first input element for sending user actuated signals to the controller wherein the controller is connected to the display system, the alarm element and memory system and wherein a user can store a plurality of approach times into the memory and the approach times can be recalled and displayed simultaneously by the display system with an indicator having a relationship to approach times to inform a user that the time displayed is the approach time, which is met by displays buttons 1-17, which are anonymous with those depicted in FIG. 1. Also displayed is the signal flow diagram for the integrated circuit. These sections interact to form the entirety of

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the circuit, which controls the various functions of the flight watch/device. Various timer circuits 60-63, each written in software within the master integrated circuit, runs as count up or count down timers. A timer circuit 60, written in software within the master integrated circuit, that runs as a count up or count down timer. Timer counter one may be used as an engine run timer. Timer counter one may be used for final approach fix to missed approach point, time to fix, fuel tank switching, timed turns, or holding pattern timing (col. 9, lines 11-67). Sonada discloses a watch including a timer means that is operated by a first rotation bezel 21 for performing the same function as a conventional rotation bezel and includes a lip 21a.

Predetermined scale and numerals to indicate, for example, a timer scale, are printed on the panel 8. The user can set a timer time by rotating the first rotation bezel 21 (col. 2, lines 46-68; col. 3, lines 1-10). Howard discloses a watch device (300) is arranged such that the first, second, and fourth selectors (e.g., buttons "a", "b", and "d") are replaced with a wheel type of device (350). The functions of the "a" and "b" selectors are activated by rotating the wheel device (350) in a counterclockwise and clockwise manner. The functions of the "d" selector are activated by pressing the wheel device (350) towards the watch bezel (page 4, column 1).

Further, the system includes as part of the main body of an alarm clock, a first region and a second region of the main body indicates the time to the appointment as "15 min". In some alert screens (see previous discussion), the values that are used in the main body may be updated to reflect changes (e.g., a change in battery by %, a change in a countdown timer, a delayed flight arrival time, etc.) (page 10, column 1). Since Reisman discloses a system that includes a portable flight timer that includes a selecting means as well as a bezel, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the

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teachings of using a rotatable input member such as the bezel member of Sonada used for setting a timer, as well as the rotatable input selector disclosed by Howard, as a means for allowing the pilot to input several approach times that should be stored or any other information that may be stored within a timer by the well known method of inputting information by use of a rotatable member.

In reference to claims 17, 20, Reisman discloses the claimed fuel tank switching time can be entered into the memory of the portable timer, which is met by the pilot calculates flight duration, fuel on board, and fuel consumption (col. 12, lines 64-67).

In reference to claims 18, 19, 22, Reisman discloses the claimed displaying a note on the portable timer, the note having static numerical data, which is met by information window 19 including information indicators 21-26 and 28 (Figure 1).

4. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

5. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Witort (US Pat. 6,259,655 B1) discloses a timer with a rotatable input member.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957.

The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D.W.G.

May 1, 2006

Davetta W. Goins
Primary Examiner
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